

Regulation in the legal services market - structures, roles and independence

Matthew Hill

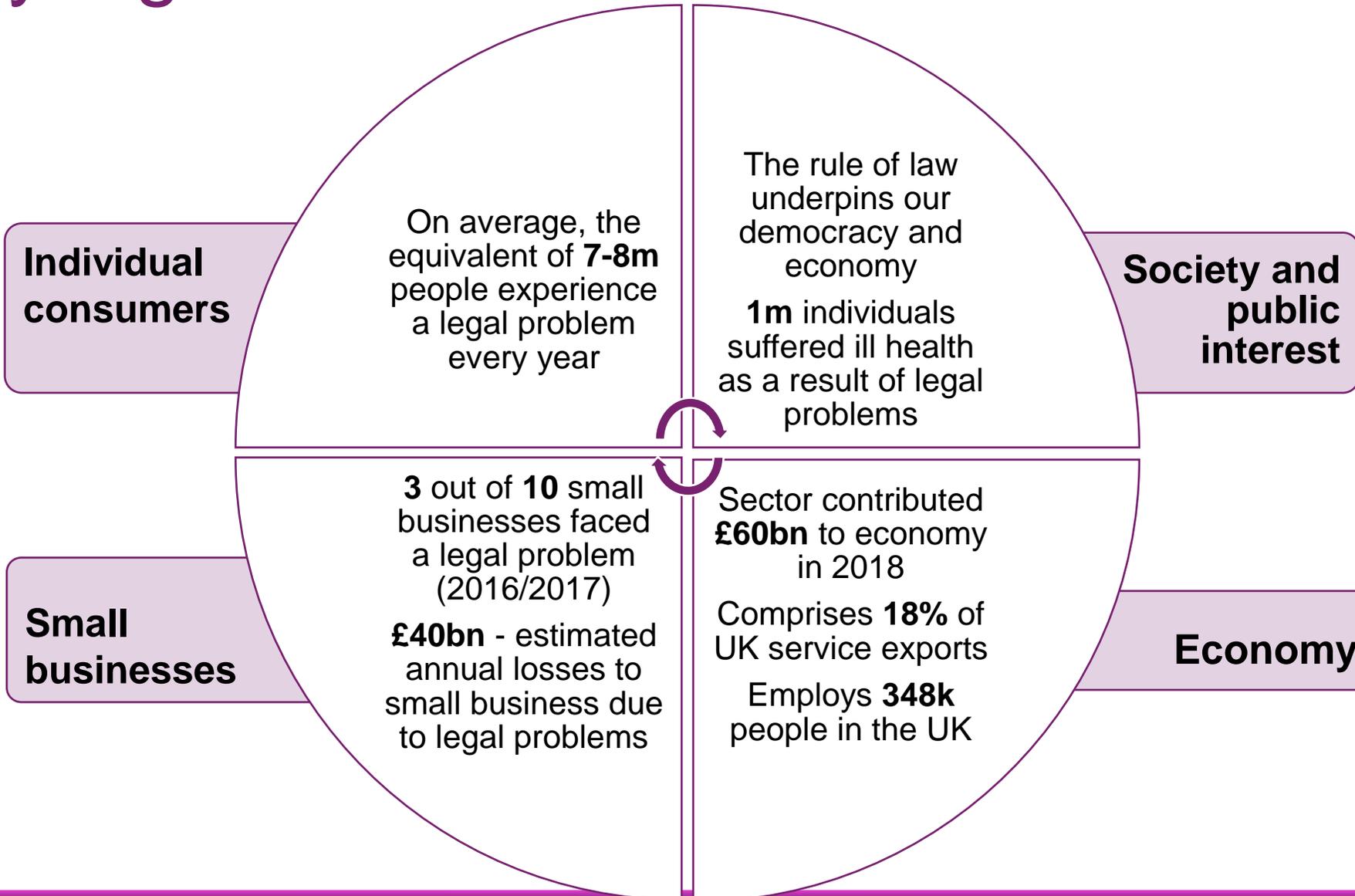
Chief Executive
Legal Services Board

Westminster Legal Policy Forum, 25 February 2020

LSB focus

- Why it all matters
- Reform: a (very) potted history
- Future direction: meeting unmet legal need
- Structure, roles, independence – an afterthought

Why legal services matter



Reform: a (very) potted history



The existing regime was condemned by Government in early 2000s as:

“outdated, inflexible, over-complex and insufficiently accountable or transparent”

Since the Legal Services Act 2007:

- regulation is now more principles-based, outcomes-focused and “for the public”

2013

LSB assessed all regulators as needing significant improvement to meet minimum standards

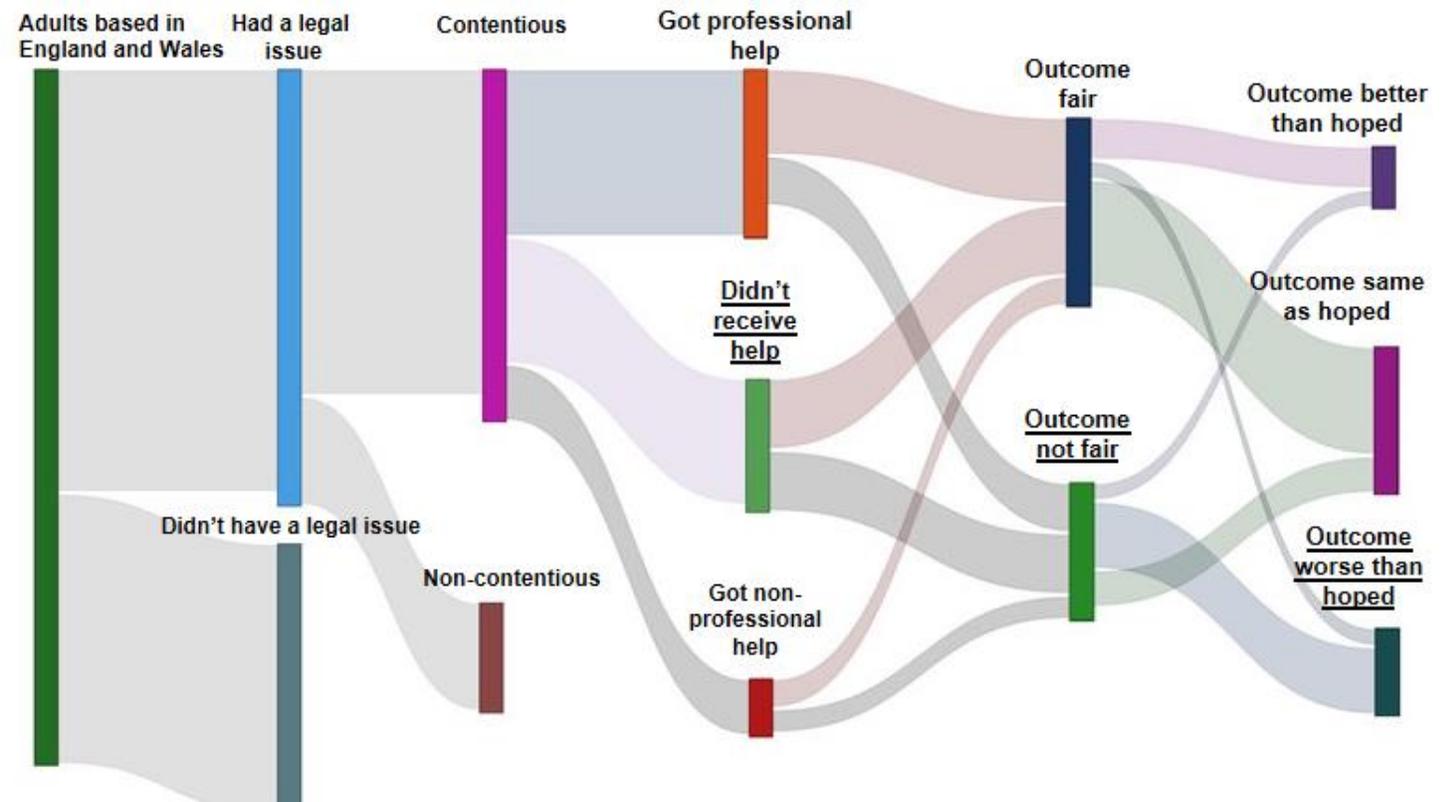


December 2019

Most met minimum standards

Next challenges: unmet legal need

- Despite progress, the legal services market is still not working for everyone
- Significant “unmet legal need”: around one third of adults not getting the help they need
- Likely to be key focus of regulation/reform going forward



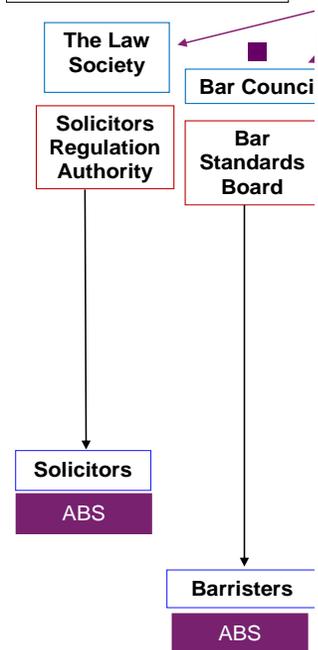
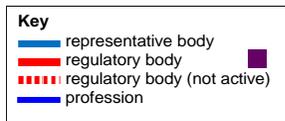
Reducing unmet need and increasing access



- **Change** the way legal services are provided:
 - designed to meet the needs of consumers/take account of varying legal capability
 - through tech/innovation, new models, opening up competition, new approaches to regulation
- Build public **confidence** in legal services
 - better info on quality & price, better redress mechanisms, renewed focus on professionalism, education & training
- Improve public **capability** to engage with legal services
 - public legal education, better general consumer info

The goal: get it right and access to justice and flourishing legal services sector reinforce each other

Structures, roles, independence



Nothing so far *necessitates* changes to structures, roles, independence

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- But the existing system is undoubtedly complex
- Built around professions and not consumers/public (e.g. reserved activities, title-focused regulators)
- Sustaining “manufactured” independence arguably costly
- Smaller regulators may lack sufficient scale to deliver public outcomes
- This may be enough in itself to justify reform

Thank you

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